

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELAINE DIGREGORIO,

Plaintiff,

-against-

WHIRLPOOL CORPORATION

Defendant.

07 CV 6566
Case No.
JUDGE BRIANT
NOTICE OF REMOVAL

FILED
U.S. DISTRICT COURT
2007 JUL 20 PM 4:07
S.D. OF N.Y.

TO THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK:

Whirlpool Corporation, the defendant in the above-referenced action states:

1. On or about May 15, 2007, the plaintiff, Elaine DiGregorio, commenced an action against defendant Whirlpool Corporation ("Whirlpool"), in the Supreme Court of the State of New York, Dutchess County, by purchasing an index number. Whirlpool actually received a copy on June 22, 2007. A copy of the Summons and Complaint is annexed as Exhibit A.
2. In accordance with 28 U.S.C. § 1446(b), this Notice of Removal is filed within 30 days of the receipt of the Summons and Complaint by Whirlpool.
3. Upon information and belief, plaintiff Elaine DiGregorio is an individual who resides at 82 South Remsen Avenue, Wappingers Falls, New York, 12590.
4. Whirlpool is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of Michigan.

5. This is a products liability claim for property damage resulting from a fire that occurred on March 31, 2006 in plaintiff's home. Plaintiff alleges damages in the amount of \$210,160.00.

6. The above-entitled action between plaintiff and defendant is one of which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1332 and is one that may be removed to this Court by the defendant, pursuant to the provisions of 28 U.S.C. § 1441(a) in that it is a civil action where the matter in controversy exceeds the sum or value of \$75,000.00, exclusive of interests and costs, and is between citizens of different states.

WHEREFORE, the defendant, Whirlpool Corporation, respectfully requests that the above-referenced action now pending against it in the Supreme Court, Dutchess County, State of New York, be removed to this Court.

Dated: New York, New York
July 19, 2007

LEADER & BERKON LLP

By: 

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